

1 MICHAEL HOFFMAN, Bar No. 162496
JEREMY A. ROTH, Bar No. 129007
2 LITTLER MENDELSON
A Professional Corporation
3 650 California Street, 20th Floor
San Francisco, CA 94108.2693
4 Telephone: 415.433.1940
Facsimile: 415.399.8490
5 E-mail: mhoffman@littler.com

6 Attorneys for Defendant
AUTOZONE, INC.
7

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 JIMMY ELLISON,

12 Plaintiff,

13 v.

14 AUTOZONE, INC.,

15 Defendant.
16
17

Case No. C 06-7522 MJJ

**[PROPOSED] ORDER STAYING
DISCOVERY AND SERVICE
OF INITIAL DISCLOSURES**

DATE: August 28, 2007
TIME: 2:00 p.m.
CTRM: 11

Hon. Martin J. Jenkins

18 The parties appeared before the Court for a scheduled case management conference
19 on August 28, 2007. Based on the substantial overlap between the claims asserted in this action and
20 the related action of *Moreno vs. AutoZone, Inc.*, case no. 05-4432 MJJ, as well as the pending class
21 certification motion in the *Moreno* action (scheduled for hearing on October 17, 2007), the Court
22 finds that a temporary stay of discovery and service of the initial disclosure statements is appropriate
23 to prevent potential duplication of effort and undue burden on the parties.

24 Pursuant to Rule 16 of the Federal Rules of Civil Procedure, the Court hereby stays
25 all discovery and service of the initial disclosure statements in this action, pending a decision on
26 class certification in the *Moreno* action. The Court will reassess the propriety of any further
27 discovery stay and its scope after issuance of the order on class certification in the *Moreno* action.
28

IT IS SO ORDERED.

Dated: 09/10/07


UNITED STATES DISTRICT JUDGE

Firmwide:83010087.1 013306.2116